

## REMARKS

Claims 31 and 32 have been amended, and new Claims 33-36 have been added. Support for the new claims can at least be found, respectively, in paragraphs 44, 39, 46, and 52 of the published application. Applicant requests entry of the amendments and reconsideration of the rejections in light of the following remarks. Claims 17-29 and 31-36 are pending.

### Discussion of Claims rejected under 35 U.S.C. § 102(e)

Claims 23, 24, 31 and 32 are rejected under 35 U.S.C. § 102 (e) as being anticipated by Figov et al. (US Patent No. 6,989,854). Applicant respectfully disagrees.

First, Figov discusses means for exposing a printing member (See abstract), which would then itself be inked and applied to a further substrate, and this further substrate would be the surface upon which printing would have occurred. In contrast, the Application describes systems for printing on to an optically reactive substrate such as paper. The amendments to Claims 31 and 32 of *"and said substrate is the printed product of the laser marking system"* emphasize this difference.

Applicant respectfully submits that Figov does not disclose all of the elements of Claim 31. For example, Figov does not disclose a laser marking system configured to mark a substrate, the system comprising a laser light emitting source a substrate formed of at least one of paper, a sheet form, synthetic paper and resin film, means for displacing said substrate relative to said laser light emitting source, wherein the displacing means is configured to expose a surface of the substrate to light from the laser light emitting source, and the exposed surface is sufficiently sensitive to light from the laser light emitting source that, when exposed, energy is absorbed at at least one point of said substrate; whereby a reaction occurs which changes the color of the exposed surface and said colored substrate is the printed product of said laser marking system; and means for transmitting light from said laser light emitting source to the exposed surface, wherein said laser light emitting source comprises an array of lasers arranged for simultaneous multi-point marking, and said array of lasers comprise semi-conductor laser diodes configured to emit light in at least one of the infra red and near infra red spectrums.

Secondly, the terms "changes the color" have been inserted into Claim 31. Figov does not feature a process of pigmentation at all, but rather a process of ablation.

Third, Figov does not disclose that *"a reaction occurs which marks the exposed surface"*. The marking which does occur in Figov – the ablation - is not on an exposed surface or on any surface at all. Rather in Figov ablation occurs beneath the surface, the second layer being that which is affected.

Fourth, Figov does not disclose the feature of an array of lasers *"arranged for simultaneous multi-point marking"*. While it is the case that Figov has more than 1 laser, it is not stated that they are arranged for multi-point marking.

Applicant notes that any one of these differences would be enough to make Claim 31 new over Figov. The stated combination of marked differences therefore provides ample evidence for a finding of novelty.

Accordingly, Applicant respectfully submits that Claim 31 overcomes Figov and is in condition for allowance. In addition, Applicant respectfully submits that Claim 32 is in condition for allowance for reasons similar to those discussed above with respect to Claim 31.

Furthermore, Applicant respectfully disagrees with the characterization of the cited art with regard to the dependent claims, and submits that the dependent claims are in condition for allowance because of the features which they each inherit from the independent claim from which they depend and for their own features.

#### Discussion of Claims rejected under 32 USC § 103(a)

Claims 17-29, 31 and 32 are rejected under 32 USC §103 (a) as being unpatentable over Manley et al (EP0818308) in view of one or more of Figov et al., De Bock et al. (U.S. Patent No. 5,893,018), and Goldberg (U.S. Patent No. 4,383,261). Applicant respectfully disagrees.

Applicant respectfully submits that this combination does not disclose all of the features above mentioned with regard to Figov alone and therefore does not render Claim 31 obvious.

First, the terms "changes the color" has been inserted into Claim 31. Manley does not feature a process of coloration at all; rather it describes a method of making lithographic plates, involving the heating of a medium with a first beam, and then the making of an impression (thus forming the plate) with a second beam (see p2, lines 24-30). As discussed above, Figov also does not disclose this feature.

Second, Manley does not disclose the feature of an array of lasers *"arranged for simultaneous multi-point marking"*. While it is the case that Manley has more than 1 laser, it is

not stated that they are arranged for multi-point marking. Indeed, the basic concept disclosed in Manley is that there is a first beam, and then a second beam – this would militate against any notion that beams are used simultaneously – arguably Manley therefore teaches away from it. As discussed above, Figov also does not disclose this feature.

Accordingly, Applicant respectfully submits that Claim 31 overcomes these combinations and is in condition for allowance. In addition, Applicant does not agree with the characterization of the cited art with regard to the dependent claims, and submits that the dependent claims are in condition for allowance because of the features which they each inherit from the independent claims from which they depend and for their own features.

#### Discussion of Currently Amended Claim 32

Applicant respectfully submits currently amended Claim 32 is in condition for allowance at least for the reasons discussed above with regard to currently amended Claim 31.

#### Conclusion

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that new claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any Currently Amended or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 10/8/09

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